Reserve

WD2239.B490.

App F IX 4]

1922.

File No. 266-22

Serial Nos. 24-25

Previous References. (Straits)

Straits 266-22-9-12
" " 1818 21-
" " 14270
" " 1 P

Later references.

GENERAL & REVENUE SECRETARIAT

Serial Nos. 2

Part B for Straits 1925

SUBJECT

Requests sanction to engage the services of Public Prosecutor Singapore as Buddi answerable Kirshnasingam has issued a notice threatening that he would file a suit in the District Judges Court.

GR 1602 dated 7-5-25 To the Straits Govt

When a suit is actually filed, the services of the Public Prosecutor may be engaged.

2

41813

No. C 776/22-23 Office of the Muzrai Commissioner in Mysore.

Dated Bangalore, 11th April 1925.

134

From

C. S. Balasundaram Iyer, Esquire., B.A.,

Muzrai Commissioner in Mysore,

Bangalore.

GEN. & REV. SECT. 13 APR 1925

GEN. & REV SECRETARIAT. 14 APR 1925 Mysore

Dno 1625

Muzg.266-22-24.

To

K. V. Anantaraman, Esquire., B.A.,

Secretary to the Government of

His Highness the Maharaja of Mysore,

Revenue Department.

Sir,

With reference to your memo No.1190/M.F.266-22-21 dated the 5th February 1925 forwarding copy of endorsement granted to Bindiganavale Kesaviengar to the effect that Government see no reason to interfere - with the orders passed by the Muzrai Commissioner in the matter of -- recovery of arrears of rent due by him on the inam land endowed to Sri Garudadevaru temple at Bindiganavale Nagamangala Taluk, I have the honor to forward herewith copy of letter No.C.238/22-23 dated the 1st instant received from the Deputy Commissioner Mysore District stating that ---- Kesaviengar referred to above has issued a notice to him threatening -- that he would file a suit in the District Judge's Court against the -- Deputy Commissioner for a permanent injunction restraining any proceedings that may have been taken for the recovery of the arrears and for costs of suit and for other reliefs.

If the suit comes to be actually filed it will have to be defended and I therefore solicit sanction of Government to engage the services of the Public Prosecutor Mysore for the purpose.

The Deputy Commissioner will be requested to send a copy of the notice to the Public Prosecutor and obtain his opinion as to how far a suit, if filed will be maintainable. A further report will be submitted as soon as the Deputy Commissioner's reply is received.

P.T.O.

A copy of the notices is herewith submitted for pe

I have the honor to be,

Sir,

Your most obedient servant,

For Muzrai Commissioner.

(Absent from station.)

KSR.

Dft. S.O. Entwistle

Dft. Supt. Hospitals

Dft. Supt. Asylums

Dft. Supt. Maps

Other orders

736/29 4 182 members

29/4

30/4

30 4 25

24.25. To the Mag. Kasaragod. No. 1602d. 7.5.25. Sanctions his recommendation to engage the services of the Public Prosecutor for the above purpose when a Bench is actually sitting.

Letter No.Ref.C.238 of 23-23 dated 1st April 1925 from the --- Deputy Commissioner Mysore District to the Muzrai Commissioner in Mysore

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"With reference to your memo No.C.776/24-25 dated 5/6th March 1925 forwarding for information, copy of endorsement granted by Government to Bindiganavale Kesava Iyengar declining to interfere with the Muzrai Commissioner's order in the matter of the recovery of arrears due on the Inam lands endowed to Garuda Devaru temple at the place, I have the honor to state that the said Kesaviengar has issued a notice to me through his -- Counsel Mr. G. Ramanjuiengar under Section 80 of the Mysore Civil --- procedure Code threatening to file a suit in the District Court against the Deputy Commissioner for a permanent injunction restraining any proceedings that may have been taken for the recovery of the arrears referred to above and for costs of suit and other reliefs. A copy of the notice --- received by me is enclosed for reference. The vernacular records relating to the arrear recovery proceedings have been called for from the Amildar of Nagamangala and they will be sent up to you on receipt.

If As stated in the notice Kesaviengar should prefer to file a suit - against the Deputy Commissioner, arrangements will have to be made to --

defend

defend the suit by engaging the services of the Ha

In this connection reference is invited to the corre ending with my memo No.C.238/22-23 dated 23rd December 1924 re filed by Kesavaiengar in the Chief Court, against the District Court decision in the suit relating to the ~~ma~~ ownership of the above temple Inam land."

"C o p y"

for Muzrai Commissioner.

KSR.

Letter dated 27th March 1925 from Mr. G.Ramanuja Iyengar, B.A.,B.L. the Muzrai Officer and Deputy Commissioner of the Mysore District

Under Sec.80 of the Mysore Civil Procedure Regulation.

"Please accept notice of a suit which my claint N.Kesava Iyengar Land holder son of N. Krishna Iyengar Pindiganavale village Nagamangala -- Taluk is obliged to file against you in the District court of Mysore after the expiry of two months from the date of the receipt of this notice by you or after the expiry of two months of this notice being left at your office. Under the circumstances here is detailed and claiming the reliefs which he has sent forth here under:--

1. My client and his ancestors were enjoying survey nos.174 and 177 in Bindiganavale village as permanent occupants subject to the annual payment of a fixed rent in the shape of half the ø income derived from the cocoanut produce for the land holder's share from the trees standing in those survey Nos.to the temple of Sri Vaireatheva swamy in Bindiganavale, Nagamangala Taluk.

2. . My client was in such occupation up to 30-5-1922, when he was ---- ejected from the land forcibly by the Revenue authorities in denial of all his rights as permanant occupant although he was quite ready and willing to pay up the yearly rent as above described and had even remitted rents as they fell due by money order, which remittances have been refused by the Revenue authorities.

3. The Revenue authorities without the concurrence of my client put the lease of those survey nos. for five years to auction and one P. Krishna --- Iyengar of Bindiganavale bid the same and became the tenant of such lands.

4. Since my client was an occupant of lands up to 30-5-22 the Revenue authorities are endevouring at your instance (vide order issued to the -- Shekdar on 17-2-23 from the Taluk Office at Nagamangala order No.N.Dis.R.C.) 614/22-23 dated 30-1-23 from the French Rocks Sub Division to the Amildar at Nagamangala) to forcibly recover by means of Rev-nue processes Rs.570/- set to be the value of the wrongful enjoyment by my client of the said lands for the years 1920-21, 1921-22.

5. These Proceedings are indirect contravention of law, since even -- admitting ~~advertising~~ all the allegations made against my ~~xix~~ client, he was holding those lands not as lessee but at its worst as a tress-passer. Section ~~xxx~~ 194 of Muzrai Regulation has not application in such a circumstance.

6.

6. My client by means of petitions to you, to the Muzrai Commissioner and to the Government requested that the authorities might be pleased to desist from the course which they are threatening against my client for the recovery of the above said Rs.570/- and his attempts in those directions have all failed. My client finds himself thus impelled to file a suit against you in the District court of Mysore for a permanent injunction restraining any proceedings that you or your subordinates may have taken or proposed to take against my clients for the recovery of the said Rs.570/- and for costs of the suit and other reliefs that my client may properly claim against you."

"C o p y"

for Muzrai Commissioner.

SUBJECT

Section Mcg

File No. 1-66-21-

Diary No of letter replied to

Serial No.

No. 1602

General and Revenue Secretariat

( )

, the 192

To The Imz Cmr

Date of issue 7.5.25

Signed by Sm T R.

See,

Adverting to yr
letter no. C 7776 dt 4th
April 1925 reporting that
Rasoorugeru a Bundigaru
Vade has moved a notice
to The Dy. Cmr & threatening
that he would file a
Suit in The Dist. Court
Canara against the Dy.
Cmr. for a perpetual
injunction restraining
any proceedings
in this

List of enclosures

Copied by

Examined by

over

arrears due on the issue
and endorse to Sanda
Prasad Sinha, ~~and for~~ and solicit sanction
costs of Suit and for other for engagement of
relief & etc, and that if the the Public Prosecutor
Suit comes to be actually
tried, it will have to be
defended, etc. I am directed
to pray sanction to your
recommendation that the
services of the Public
Prosecutor, Mymensingh,
may be engaged for the
purpose of ~~his~~ the Suit is
actually tried.

29/4

Yours etc.

27.4.25.

29.4.25